



Homeland
Security

August 8, 2019

SENT BY ELECTRONIC MAIL TO: [REDACTED]

Jason Leopold
[REDACTED]

Re: Freedom of Information Act Request 2019-IAFO-00199

Dear Mr. Leopold:

This is the final response to your Freedom of Information Act (FOIA) request to the Federal Bureau of Investigation (FBI), received on June 12, 2012. You requested:

The FBI's entire case file on Samir Khan, or Samir Ibn Zafr Khan, a Pakistani American and the former resident of Charlotte, North Carolina, and identified as the "editor" of the English language al-Qaeda magazine, "Inspire," who was killed in Yemen in a reported drone strike in September 2011.

The FBI conducted a search for records responsive to your request, and recovered seven (7) pages that originated with the Office of Intelligence and Analysis (I&A). These pages were subsequently transferred to I&A for review and processing. After reviewing this document, I have determined that seven (7) pages will be released in part (RIP), pursuant to Exemptions of the FOIA as described below. Based on the review of these documents, I&A is providing the following:

7 pages are released in part (RIP)

Freedom of Information Act, 5 U.S.C. § 552			Privacy Act, 5 U.S.C. § 552a
<input type="checkbox"/> 552(b)(1)	<input type="checkbox"/> 552(b)(5)	<input checked="" type="checkbox"/> 552(b)(7)(C)	<input type="checkbox"/> 552a(j)(2)
<input type="checkbox"/> 552(b)(2)	<input checked="" type="checkbox"/> 552(b)(6)	<input type="checkbox"/> 552(b)(7)(D)	<input type="checkbox"/> 552a(k)(2)
<input checked="" type="checkbox"/> 552(b)(3)	<input type="checkbox"/> 552(b)(7)(A)	<input checked="" type="checkbox"/> 552(b)(7)(E)	<input type="checkbox"/> 552a(k)(5)
<input type="checkbox"/> 552(b)(4)	<input type="checkbox"/> 552(b)(7)(B)	<input type="checkbox"/> 552(b)(7)(F)	<input type="checkbox"/> Other:

FOIA Exemption 3, 5 U.S.C. § 552(b)(3)

FOIA Exemption 3 protects “information specifically exempted from disclosure by [another] statute.” *See* 5 U.S.C. § 552 (b)(3). In this instance 50 U.S.C. § 3024(i) and 6 U.S.C. § 121(d)(11) exempts information regarding intelligence sources and methods from unauthorized disclosure.

FOIA Exemption 6, 5 U.S.C. § 552(b)(6)

FOIA Exemption 6 exempts from disclosure personnel or medical files and similar files the release of which would cause a clearly unwarranted invasion of personal privacy. This requires a balancing of the public’s right to disclosure against the individual’s right privacy. The privacy interests of the individuals in the records you have requested outweigh any minimal public interest in disclosure of the information. Any private interest you may have in that information does not factor into the aforementioned balancing test.

FOIA Exemption 7(C), 5 U.S.C. § 552(b)(7)(C)

FOIA Exemption 7(C) protects records or information compiled for law enforcement purposes that could reasonably be expected to constitute an unwarranted invasion of personal privacy. This exemption takes particular note of the strong interests of individuals, whether they are suspects, witnesses, or investigators, in not being unwarrantably associated with alleged criminal activity. That interest extends to persons who are not only the subjects of the investigation, but those who may have their privacy invaded by having their identities and information about them revealed in connection with an investigation. Based upon the traditional recognition of strong privacy interest in law enforcement records, categorical withholding of information that identifies third parties in law enforcement records is ordinarily appropriate. As such, I have determined that the privacy interest in the identities of individuals in the records you have requested clearly outweigh any minimal public interest in disclosure of the information. Please note that any private interest you may have in that information does not factor into this determination.

FOIA Exemption 7(E), 5 U.S.C. § 552(b)(7)(E)

Exemption 7(E) protects all law enforcement information that “would disclose techniques and procedures for law enforcement investigation or prosecution, or would disclose guidelines for law enforcement investigations or prosecution if such disclosure could reasonably be expected to risk circumvention of the law.” *See* 5 U.S.C. § 552(b)(7)(E). I&A is invoking Exemption 7(E) to protect law enforcement techniques or procedures.

You have a right to appeal the above withholding decision.¹ Should you wish to do so, you must send your appeal and a copy of this letter, within 90 days of the date of this letter, to: Privacy

¹ For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* U.S.C. 552© (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

Office, Attn: FOIA Appeals, U.S. Department of Homeland Security, 245 Murray Lane, SW, Mail Stop 0655, Washington, D.C. 20528-0655, following the procedures outlined in the DHS FOIA regulations at 6 C.F.R. Part 5 § 5.8. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS FOIA regulations are available at www.dhs.gov/foia.

You may contact the FOIA Requester Service Center for the Office of Intelligence and Analysis (I&A), as well as the Public Liaison, Brendan Henry for any further assistance; to discuss any aspect of your request; to discuss reformulation of your request; and/or to discuss an alternative time frame for the processing of your request at:

U.S. Department of Homeland Security
Intelligence and Analysis (I&A)
Email: I&AFOIA@HQ.DHS.GOV
Telephone: (202) 282-8826
Refer to 2019-IAFO-00120

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA dispute resolution services it offers. The contact information for OGIS is:

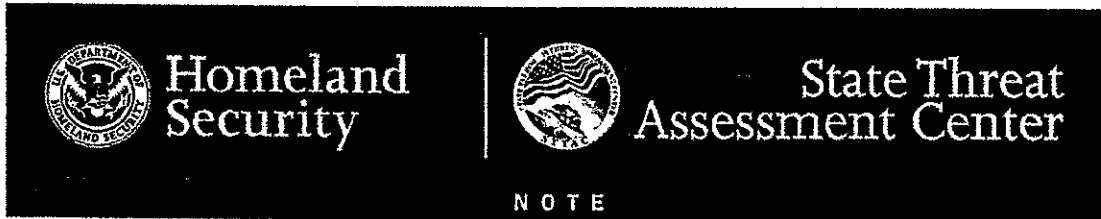
Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, Maryland 20740-6001
Email: ogis@nara.gov
Telephone: 202-741-5770
Toll free: 1-877-684-6448
Fax: 202-741-5769

Please note that contacting any agency official (including the FOIA analyst, FOIA Requester Service Center, FOIA Public Liaison) and/or OGIS **is not** an alternative to filing an administrative appeal and **does not** stop the 90-day appeal clock.

Sincerely,

Priscilla Waters

Pricilla Waters
Assistant FOIA Officer

b6 Per FBI
b7C

(U//FOUO) Online Media Call for Local, Self-Initiated Violence in the United States

20 June 2011

(U) Prepared by the Office of Intelligence and Analysis (I&A), Homeland Counterterrorism Division, Homegrown Violent Extremist Branch and the California State Threat Assessment Center (STAC), Sacramento. The Interagency Threat Assessment and Coordination Group has reviewed this product from the perspective of our nonfederal partners.

(U) Scope

(U//FOUO) I&A and the California STAC wrote this Note to identify the media and other propaganda efforts by al-Qa'ida and affiliated terrorist organizations to radicalize and recruit elements of the US population. This information is provided to support the activities of DHS and to help federal, state, and local government counterterrorism and law enforcement officials deter, prevent, preempt, or respond to terrorist attacks directed against the United States.

b3
b6 Per FBI
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b7E

(b) (7)(E)

(U) Warning: This document is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public, the media, or other personnel who do not have a valid need to know without prior approval of an authorized DHS official. State and local homeland security officials may share this document with authorized critical infrastructure and key resource personnel and private sector security officials without further approval from DHS.

(U) This product contains US person information that has been deemed necessary for the intended recipient to understand, assess, or act on the information provided. It has been highlighted in this document with the label ^{USPER} and should be handled in accordance with the recipient's intelligence oversight and/or information handling procedures. Other US person information has been minimized. Should you require the minimized US person information, please contact the I&A Production Branch at IA.PM@hq.dhs.gov, IA.PM@dhs.sgov.gov, or IA.PM@dhs.ic.gov

(U) Key Findings

(U//FOUO) Online foreign terrorist-sponsored magazines such as *Inspire* and *Sada al-Malahim* give readers guidance on directing violence against Westerners, so-called "traitorous" Muslims, and other individuals allegedly acting in violation of the ethics and morals they espouse. These media support a decentralized, "leaderless" element of al-Qa'ida-inspired violence and encourage disgruntled individuals to act upon their grievances individually through violent action. In the wake of past incidents of violence against targets in the United States by individuals potentially inspired by calls to violent action by terrorist groups and leaders, similar online propaganda (b) (7)(E), (b)(3)

(b) (7)(E), (b)(3)

(U) Focus on Calls to Action

(U) *Inspire* Magazine

(U//FOUO) (b) (7)(E), (b)(3)

[REDACTED]

(U//FOUO) (b) (7)(E), (b)(3)

[REDACTED]

(U//FOUO) (b) (7)(E), (b)(3)

[REDACTED]

(U//FOUO) (b) (7)(E), (b)(3)

[REDACTED]



(U//FOUO) *Inspire* Magazine

(U//FOUO) AQAP released the second edition of *Inspire* on 11 October 2010. It featured an interview with AQAP deputy amir Sa'id al-Shahri, articles by al-Aulaqi and Samir Khan, and previously released statements by Usama bin Laden and Gadaffi. This edition also provided suggestions for individual violent jihad in the West and encouraged operational security.

— (U//FOUO) (b) (7)(E), (b)(3)

— (U//FOUO) (b) (7)(E), (b)(3)

(U//FOUO) AQAP published the first edition of *Inspire* on 11 July 2010, (b) (7)(E), (b)(3)

(U) Sada al-Malahim

(U//FOUO) Like *Inspire* magazine, *Sada al-Malahim* ("The Echo of the Epic Battle")—an Arabic-language Internet publication produced by AQAP—offers guidance on the theory and practice of violent attacks against Western targets, including in the United States. AQAP has released 16 issues of *Sada al-Malahim* as of May 2011. The 28 October 2009 issue included an article, "The Word of the Amir: War is a Trick," that (b) (7)(E), (b)(3)

— (U//FOUO) (b) (7)(E), (b)(3)

alists.

— (U//FOUO) (b) (7)(E), (b)(3)

— (U//FOUO) (b) (7)(E), (b)(3)

(U) *Jihad Recollections*

(U//FOUO) Violent ideological principles similar to those espoused in *Inspire* and *Sada al-Malahim* and by other al-Qa'ida sympathizers abroad routinely appeared in *Jihad Recollections*—an Internet-based, English-language publication that voiced support for past attacks upon the United States. Like *Inspire*, *Jihad Recollections* included articles by violent extremists such as al-Aulaqi. We have not observed new issues of *Jihad Recollections* since September 2009.

(U) Implications

(U//FOUO) (b) (7)(E), (b)(3)

(U//FOUO) (b) (7)(E), (b)(3)

(U) Examples of Online Magazines

(U) Below are examples of online magazine cover pages:



(U) Cover Page: *Sada al-Malahim*.



(U) Cover Page, Issue 1: *Jihad Recollection*.

(U) Reporting Notice:

(U) DHS and the FBI encourage recipients of this document to report information concerning suspicious or criminal activity to the nearest State and Major Urban Area Fusion Center and to the local FBI Joint Terrorism Task Force. State and Major Urban Area Fusion Center contact information can be found online at <http://www.dhs.gov/contact-fusion-centers>. The FBI regional telephone numbers can be found online at <http://www.fbi.gov/contact/fo/fo.htm> and the DHS National Operations Center (NOC) can be reached by telephone at (b) (7)(C), (b) (6) or by e-mail at (b) (7)(C), (b) (6). For information affecting the private sector and critical infrastructure, contact the National Infrastructure Coordinating Center (NICC), a sub-element of the NOC. The NICC can be reached by telephone at (b) (7)(C), (b) (6) or by e-mail at (b) (7)(C), (b) (6). When available, each report submitted should include the date, time, location, type of activity, number of people and type of equipment used for the activity, the name of the submitting company or organization, and a designated point of contact.

(U) I&A would like to invite you to participate in a brief customer feedback survey regarding this product. Your feedback is extremely important to our efforts to improve the quality and impact of our products on your mission. Please click below to access the form and then follow a few simple steps to complete and submit your response. Thank you.

Survey

(U) Tracked by: (b) (7)(E)

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**Homeland
Security**

Office of Intelligence and Analysis

I&A Customer Survey

Product Title: (U//FOUO) Online Media Call for Local, Self-Initiated Violence in the United States

1. Please select the partner type that best describes your organization. Select One

2. How did you use this product in support of your mission?

- ☐ Integrated into one of my own organization's finished information or intelligence products
- ☐ Shared contents with federal or DHS component partners
If so, which partners?
- ☐ Shared contents with state and local partners
If so, which partners?
- ☐ Shared contents with private sector partners
If so, which partners?
- ☐ Other (please specify)

3. Please rank this product's relevance to your mission. (Please portion mark comments.)

- ☐ Critical
- ☐ Very important
- ☐ Somewhat important
- ☐ Not important
- ☐ N/A

4. How could this product or service be improved to increase its value to your mission? (Please portion mark comments.)

5. Was this product provided to you in response to a specific request to DHS I&A?

☐ Yes☐ No

6. Please rate your satisfaction with each of the following:

	Very Satisfied	Somewhat Satisfied	Somewhat Dissatisfied	Very Dissatisfied	N/A
Timeliness of product or support	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Responsiveness to your intelligence needs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
If you answered yes to question 5, please rate your satisfaction with DHS I&A's communication during the processing of your request	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

To help us understand more about your organization so we can better tailor future products, please provide:

Your Name and Position

Your Organization

Your Contact Number or Email

**Submit
Feedback**

Notice to DHS I&A Customers

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Paperwork Reduction Act Compliance Statement

Legal Significance of Office of Management and Budget Control Number: Your response to this feedback request is completely voluntary. The Paperwork Reduction Act requires that the Department of Homeland Security notify respondents that no person is required to respond to the collection of information unless it displays a currently valid OMB control number.

Privacy Act Statement: DHS's Use of Your Information

Principal Purposes: When you provide feedback on an Intelligence and Analysis (I&A) intelligence product, DHS collects your name, position, contact information, and the organization you are representing. We use this information to contact you if we have additional questions about the feedback and to identify trends, if any, in the feedback that you and your organization provide.

Routine Uses and Sharing: In general, DHS will not use this information for any purpose other than the Principal Purposes, and will not share this information within or outside the agency. Aggregate feedback data may be shared within and outside DHS but without including the contact information. In certain circumstances, DHS may share this information on a case-by-case basis as required by law or necessary for a specific purpose, as described in the DHS Mailing and Other Lists System of Records Notice, DHS/ALL-002 (73 FR 71659).

DHS Authority to Collect This Information: DHS requests that you voluntarily submit this information under its following authorities: 5 U.S.C. 301; the Federal Records Act, 44 U.S.C. 3101.

Effects of Not Providing Information: You may opt not to provide the requested information or to provide only some of the information DHS requests. However, if you choose to provide any feedback information, you must provide a classification level as requested on this form. If you opt not to provide some or all of the requested information, DHS will not be able to contact you to fully address your feedback and any additional information needs.

Accessing and Correcting Information: If you need to access or correct the information collected on this form, you should send an email to ia.feedback@dhs.gov. You may also direct your request in writing to the appropriate FOIA Officer, whose contact information can be found at <http://www.dhs.gov/foia> under "contacts." Additional instructions are available at that website and in the DHS/ALL-002 System of Records Notice, referenced above.



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